



## **Senator Brian Birdwell's Capitol Update (4-11-19)**

Greetings from your Texas Capitol! To put it simply, we are now deep in the throes of the legislative session. With just 46 days left before *sine die*, the House and Senate are passing bills in our respective chambers and working these pieces of legislation across the Capitol in our best efforts to get good bills sent to Governor Abbott's desk and ultimately signed into law. Below I'll touch on a few of the bills I'm working this week, plus a lot more. The biggest bill of the session, though, is nearing completion—let's start there.

### **Texas Senate Unanimously Passes State Budget**

This week, all 12 democrats and 19 republicans in the Texas Senate unanimously passed CSHB 1, the 2020-21 biennial state budget. I applaud the work of each of my fellow Senate Finance Committee members and the outstanding leadership of our chair, Jane Nelson, who appropriately called our work product "a robust, fiscally responsible budget that meets the needs of our growing state. It prioritizes the two key issues of session -- property tax relief and public education. It makes smart investments in our future and stays within our constitutional spending limits" Some critical highlights of the budget are as follows:

- \$4B to give every teacher and librarian a \$5,000 across-the-board pay raise;
- \$2.7B for property tax relief and reducing the reliance on recapture;
- \$2.3B in additional state aid to school districts;
- \$2.4B to fund enrollment growth for public education, based on an estimated 65,000 additional students per year;
- \$230M to maintain current health insurance premiums and benefits for our retired teachers;
- an increase of 529.9M for higher education, including \$38 million for Texas State Technical Colleges returned value formula;
- an additional \$55M to increase outpatient community mental health treatment and avoid waitlists;
- \$193M to address wait times at our driver license offices;
- maintains border security levels at \$800 million'
- \$3.7M to establish nine new child protection courts;
- 5% pay increase for correctional officers;
- more than \$1B across state agencies to address cybersecurity, replace legacy systems and upgrade information technology;
- \$31B address the state's transportation needs, including the full transfer to the State Highway Fund under Proposition 7;
- 100-percent appropriation of the sporting goods sales tax to the Texas Parks and Wildlife Department and the Historical Commission; and
- \$28.1M to improve technology at the Railroad Commission and hire 22 additional oil and gas and pipeline safety inspectors.

As a member of the Senate Finance Committee, I think it's important to share how deeply the committee delved when crafting this budget, looking equitably for savings and examining ways to make our agencies more efficient. I am personally proud to report that funding for Texas State Technical College (TSTC) will now be based on the formula agreement that the legislature made with them two sessions ago. TSTC is funded differently than all other institutions of higher education because they are funded based on results, not activity. I am pleased that the budget recognizes this funding agreement by funding TSTC based on the overwhelming success of students graduating and being employed quickly in the Texas Economy. I am also proud, as I mentioned [here](#), to have successfully included a rider limiting state expenditures for high-speed rail. This rider continues to ensure that state resources are not used on a project that is unregulated and unapproved by any state or federal entity.

Now that the budget (CSHB 1) has passed the Senate, it will go back to the House. The final version of the bill will be debated and shaped through conference committee—a policy working-group comprised of five representatives and five senators. This will be the final work done on our biennial state budget before it returns to each chamber for one final vote of approval.

### **Religious Liberty Protections (SB 17)**

Across the country there has been a recent rise in number of cases in which individuals with certain sincerely held beliefs are facing expulsions from their careers and livelihoods. In effect, revocation of an individual's occupational license suppresses free speech and freedom to express an individual's religious belief. With this trend in mind, I was proud to see Senate Bill 17 by Senator Charles Perry (R-Lubbock), of which I am a joint-author, passed out of the Texas Senate last week, which ensures no person in Texas is excluded from seeking an occupational license based on their faith and that no person loses their professional license based on their faith. Furthermore, SB 17 stipulates that if the person comes in front of their occupational licensing board based on their speech or conduct, this bill provides a defense to losing their license as long as their conduct or speech is based on sincerely held religious beliefs. As your elected official, it is my duty to preserve all of the liberties bestowed upon our nation as written in our founding documents.

### **Born-Alive Infant Protection Act Passes Senate (SB 23)**

Senate Bill 23, the Born-Alive Infant Protection Act, authored by Senator Lois Kolkhorst (R-Brenham) would protect the rights of a living child born after an abortion. Current Texas law establishes the rights of a living child after an abortion or premature birth. However, this "right" is not protected by any state civil or criminal enforcement if violated. SB 23, which I am proud to co-author, will clarify patient-physician relationships and add measures of accountability by enhancing the penalty for healthcare providers who do not provide care to babies born-alive from failed abortions to a 3rd degree felony. The Texas Senate is going to be very clear, we will fight for those who cannot fight for themselves and will protect children born-alive from an abortion.



*Citizens from Waco visiting the Capitol to discuss legislative issues with Representative Doc Anderson, Representative Kyle Kacal, and myself on "Waco Day."*

### **Taxpayer Right to Know Bill Passes Senate (SB 30)**

This week Senate Bill 30, the Taxpayer Right to Know Bill, passed the Senate and is now onto the House for Representative Dade Phelan (R-Beaumont) to sponsor through the House. Senate Bill 30 requires local taxing entities to write bond proposals in a manner that allows voters to approve each issue individually as separate ballot items. Current law requires bond proposals to describe the "general purpose" and allows for multiple large, distinct projects to be consolidated into one proposition. Cities, counties, and schools districts are requiring taxpayers to vote on substantial bond packages, some surpassing a billion dollars. Voters are often expected to either approve or deny the bond in its entirety, as opposed to accepting or denying individual propositions. This legislation ensures that taxpayers have more choice by requiring bond propositions to be broken up by a single specific purpose as opposed to an all or nothing approach.

### **Senate Passes School Safety Measure (SB 406)**

Last week, I passed SB 406, a school safety priority identified by Gov. Abbott. Local school districts are the best judges of the tactical and strategic landscape of their campuses. The local districts know the terrain, faculty, communities, and should have the maneuverability to deploy their school marshals where they will be the most

tactically and technically proficient. However, the Education Code currently requires school marshals whose primary duty involves direct contact with students to store their concealed firearm in a locked and secured safe at all times. In the event of an emergency, if the school marshal is compelled to lock their firearm in a safe but is on cafeteria duty, the firearm in a locked box on the other side of the school renders the marshal ineffective at the critical time. While the marshal would be acting in accordance to state law, the practicality of this security measure is nullified if they cannot protect their students at the critical time and critical place. This bill gives school districts the discretion to create school safety plans that address the unique needs of their individual campuses. This bill does not compel school districts to have school marshal programs nor does it compel the districts to make marshals carry their concealed firearms or lock them in a secured safe. The bill simply affords these school districts, charter schools, private schools, and junior colleges the ability to decide based on the physical plant of their districts how to implement and deploy their school marshal program. They retain the discretion to choose whether to implement the program fully or not at all. By eliminating the state mandate that a school marshal's handgun must be in a locked safe, SB 406 will allow the governing board, which is accountable to the voters, to decide if a school marshal should carry their handgun while performing their official duties. I look forward to seeing this bill move through the House and be signed into law!

### **Eminent Domain Bill Passes Senate (SB 421)**

The Texas Senate passed Senate Bill 421 by Senator Lois Kolchhorst (R-Brenham) that will strengthen the private property rights for Texas landowners facing the threat of eminent domain. This bill levels the playing field between those who own property, and those who seek to use eminent domain to take that property. Senate Bill 421 provides several major statutory changes to Texas Property Code, which include: preventing low initial offers, improving easement terms and requiring meetings between the condemning entity and the affected property owners to ensure property owners understand the process and can have their questions answered. I was proud to support SB 421, which will protect private property rights!



*Pictured here with retired teachers from Hood County, (L-R) Janie Bramlett, Marie and George Burke.*

### **River Authority Sunset Bills**

This week, I passed three Sunset Bills related to three separate River Authorities across the state. Placing River Authorities under sunset review has proven to be a successful mechanism to ensure that these entities, which were created by the legislature, continue to have oversight and accountability on a statewide level.

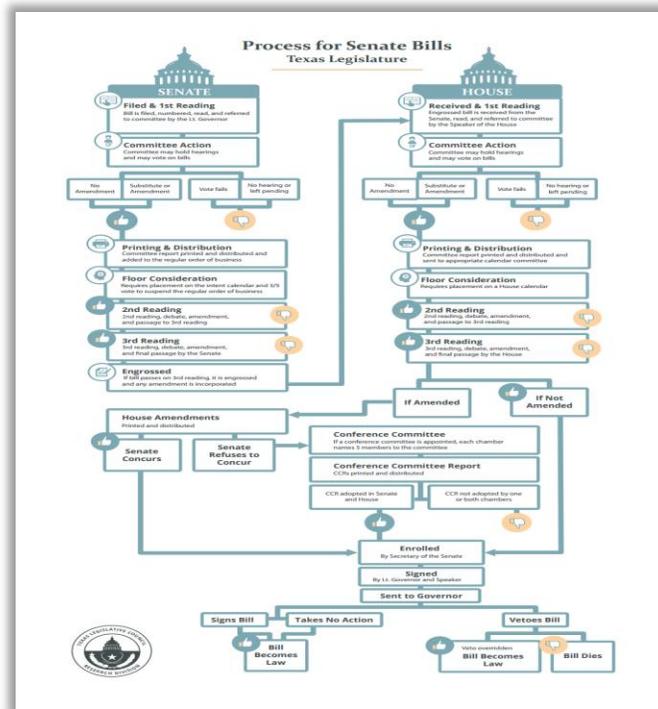
- **SB 625, Nueces River Authority Sunset:** This bill implements changes recommended by the Sunset commission to improve operations at the Nueces River Authority, which services the Nueces River basin in southwestern Texas. Overall, Sunset staff found that the Nueces river authority performs its duties well, but recommended the implementation of a 5-year strategic plan to help improve efficiency and organization.
- **SB 626, Guadalupe-Blanco River Authority Sunset:** This bill implements changes recommended by the Sunset commission to improve operations at the Guadalupe-Blanco River Authority (GBRA), which services the Guadalupe and Blanco Rivers that stretches 10 counties from Central Texas down to Port Lavaca. GBRA is uniquely placed along the I-35 corridor which

experiencing rapid growth. The Sunset Commission found that GBRA performs well but has a substantial amount of aging infrastructure, and requires a strategic plan to plan for the future.

- **SB 627, Red River Authority Sunset:** This bill implements changes recommended by the Sunset commission to improve operations at the Red River Authority (RRA), which services the Red River basin that spans across 43 counties in North Texas and the Panhandle. The Sunset Commission found that the Red River Authority had a large opportunity for improvement, especially in regards to meeting minimum safety standards and transparency. This bill focuses on improving processes to address current issues and to prevent recurrence in the future.

### Tracking Legislation

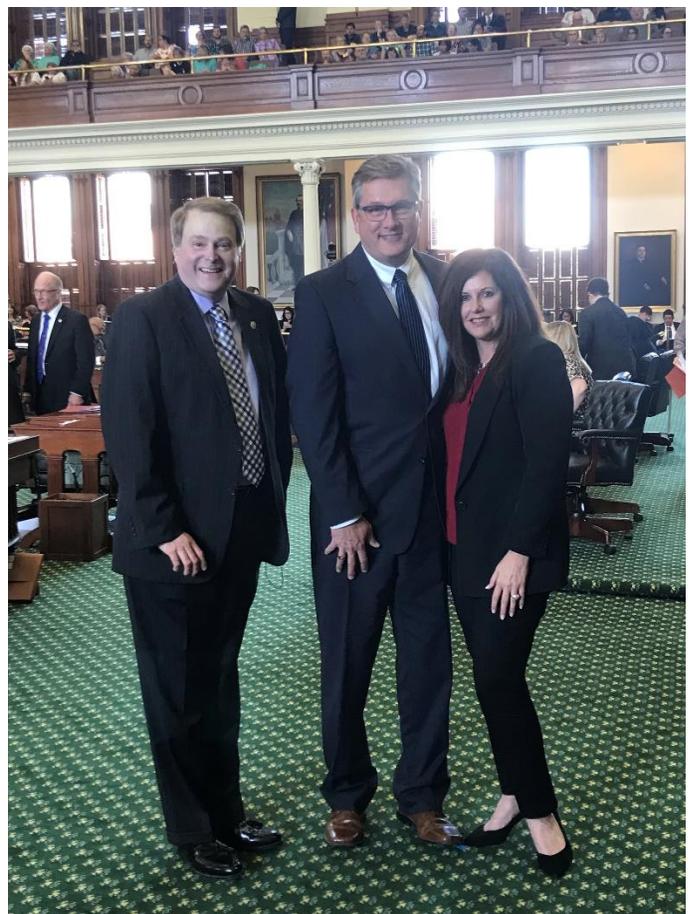
In the final two months of a session, bills move more and more rapidly through the legislature. Because my staff frequently receive calls at the Capitol and District offices asking about the status of certain bills or issues, we wanted to share this helpful infographic outlining what can sometimes be a convoluted process. While swift at times, this process is purposefully transparent, and I think it's essential for citizens to be able to follow along 24/7. Everything outlined in this chart can be found at <http://www.legis.state.tx.us/>. I hope this is helpful!



*Don't worry—you can click the image above for a full-size version of the chart.*



*Pictured here with Dr. Jackson Griggs from Waco Texas, who served as Doctor of the Day in the Senate.*



*Pictured with Pastor Ronny Marriott and his wife Robin from Johnson County. Pastor Marriott served as Pastor of the Day in the Senate.*

As always, I hope our Capitol Update is informative and that you'll share it with your friends, family and colleagues in Senate District 22, who may subscribe to the Capitol Update [by clicking here](#). You can follow us

on Twitter and Facebook, or keep in touch with legislative happenings via [www.capitol.state.tx.us](http://www.capitol.state.tx.us) or via my Senate website by clicking the screenshot below.

God bless,

A handwritten signature in cursive script that reads "Brian Birdwell".

Brian Birdwell  
State Senator, District 22

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